

105TH CONGRESS
2D SESSION

S. RES. 173

Expressing the sense of the Senate with respect to the protection of
reproductive health services clinics.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 5, 1998

Mrs. BOXER (for herself, Mr. CHAFEE, Ms. SNOWE, Ms. MIKULSKI, Mr. JEFFORDS, Mr. LAUTENBERG, Mrs. MURRAY, Mr. KERREY, Ms. COLLINS, and Ms. MOSELEY-BRAUN) submitted the following resolution; which was referred to the Committee on the Judiciary

RESOLUTION

Expressing the sense of the Senate with respect to the
protection of reproductive health services clinics.

Whereas there are approximately 1000 reproductive health
services clinics in the United States;

Whereas violence directed at persons seeking to provide re-
productive health services continues to increase in the
United States, as demonstrated by the January 29, 1998,
bombing outside a reproductive health services clinic in
Birmingham, Alabama, in which 1 person was killed and
1 person was critically injured;

Whereas the death that occurred at the Birmingham clinic
was the first bombing fatality at a reproductive health
services clinic in the history of the United States;

Whereas organizations monitoring clinic violence have reported over 1,800 acts of violence at reproductive health services clinics, including bombings, shootings, arson, death threats, kidnapping, and assaults;

Whereas, in 1997, reproductive health services clinics reported an increase in the number of acts of violence over 1996;

Whereas, in January 1997, reproductive health services clinics in Atlanta, Georgia and Tulsa, Oklahoma were bombed, resulting in several injuries;

Whereas, in December 1994, 2 workers at a reproductive health services clinic were murdered and 5 others injured in an assault in Brookline, Massachusetts;

Whereas, in July 1994, an abortion provider and his security escort were murdered in Pensacola, Florida;

Whereas, in March 1993, a doctor providing abortion services was shot and killed in Pensacola, Florida;

Whereas Congress passed and the President signed the Freedom of Access to Clinic Entrances Act of 1994, a law establishing Federal criminal penalties and civil remedies for certain violent, threatening, obstructive, and destructive conduct that is intended to injure, intimidate, or interfere with persons seeking to obtain or provide reproductive health services, and for intentionally damaging or destroying, or attempting to damage or destroy, the property of a clinic because the clinic provides reproductive health services;

Whereas violence is not a mode of free speech, is not entitled to constitutional protection, and should not be condoned as a method of expressing an opinion; and

Whereas, on January 2, 1995, the President instructed the Attorney General to direct—

(1) the United States Attorneys to create task forces of Federal, State, and local law enforcement officials to develop plans to address security for reproductive health services clinics located within their jurisdictions; and

(2) the United States Marshals Service to ensure coordination between reproductive health services clinics and Federal, State, and local law enforcement officials regarding potential threats of violence: Now, therefore, be it

1 *Resolved,*

2 **SECTION 1. SENSE OF THE SENATE.**

3 It is the sense of the Senate that the Attorney Gen-
4 eral should—

5 (1) fully enforce the law and protect from vio-
6 lent attack persons seeking to provide or obtain, or
7 assist in providing or obtaining, reproductive health
8 services; and

9 (2) allocate the resources needed to accomplish
10 the mission of the Department of Justice, including
11 the protection of reproductive health services clinics,
12 as described in the instruction of the President on
13 January 2, 1995.

1 **SEC. 2. EXPRESSIVE CONDUCT.**

2 Nothing in this resolution shall be construed to pro-
3 hibit any expressive conduct (including peaceful picketing
4 or other peaceful demonstration) protected from legal pro-
5 hibition by the first amendment to the Constitution of the
6 United States.

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